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CITY AND COUNTY OF SAN FRANCISCO

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RICHARD BONOMI,

Plaintiff,

vs.

CITY AND COUNTY OF SAN  
FRANCISCO, OFFICER MARCI aka  
OFFICER MARCY aka OFFICER MARCIE,  
an individual, DOES ONE THROUGH  
TWENTY, inclusive,,

Defendants.

Case No. CV-10 5847 PJH

**JOINT CASE MANAGEMENT STATEMENT  
AND RULE 26(f) REPORT AND ORDER**

Date: May 26, 2011  
Time: 2 p.m.  
Courtroom: Courtroom 3, 3<sup>rd</sup> Floor  
1301 Clay Street, Oakland

The Honorable Phyllis J. Hamilton

The parties hereby submit this Joint Case Management Statement.

1. Jurisdiction and Service: The Court has federal jurisdiction of this matter pursuant to 42  
USC Section 1983.

2. Facts/Description of Case and Defenses:

A. Plaintiff

In light of Defendant's request below, Plaintiffs join in Defendant's request to stay the  
proceedings in this matter for 50 days.

1 B. Defendants

2 Defendant City and County of San Francisco tendered its defense of this matter to the San  
 3 Francisco Forty Niners two months ago. On May 11, 2011, the City received correspondence from the  
 4 insurance underwriter for the Forty–Niners accepting the City's tender with a reservation of rights.  
 5 The City is in communication with the underwriter concerning the extent of the reservation of rights.  
 6 Defendant expects the outstanding issues concerning the extent of the reservation and the potential of  
 7 substitution of insurance defense counsel for the City Attorneys' Office to be resolved within 30 days.  
 8 Defendant therefore respectfully requests that the Court stay proceedings in this matter for 50 days so  
 9 these issues may be resolved and new counsel may be substituted in for the City Attorneys' Office.  
 10

11 3. Legal Issues:

12 4. Motions: No motions are pending.

13 5. Amendment of Pleadings:

14 6. Evidence Preservation.

15 Defendants are unaware whether Plaintiff has preserved evidence in his possession.

16 7. Disclosures:

17 8. Discovery: No formal Discovery has yet taken place.

18 The parties agree that the Federal Rules of Civil Procedure shall govern all discovery and  
 19 supplementations.  
 20

21 9. Class Actions: Not applicable.

22 10. Related Cases: There are no related cases.

23 11. Relief:

24 Defendants currently have no information about Plaintiff's claimed injuries and other claimed  
 25 damages.  
 26

27 12. Settlement and ADR:

1 13. Consent to Magistrate Judge For All Purposes: Defendants declined to consent to the  
2 appointment of a Magistrate Judge to conduct all proceedings.

3 14. Other References: The parties do not believe an Other Reference is appropriate here.

4 15. Narrowing of Issues:

5 16. Expedited Schedule:

6 17. Scheduling:

7 18. Trial:

8 19. Disclosure of Non-Party Interested Entities or Persons: There are no non-Party Interested  
9 Entities or Persons in this matter, and those Disclosures have not formally been made.  
10

11 20. Other Matters: The City's tender of this matter is pending.

12 Dated: May 18, 2011

13 WALSTON CROSS, ATTORNEYS

14  
15 \_\_\_\_\_  
16 /s/ \*  
17 Thomas J. O'Brien  
18 Attorneys for Plaintiff

19 Dated: May 18, 2011

20 DENNIS J. HERRERA  
21 CITY ATTORNEY

22 By: \_\_\_\_\_  
23 /s/  
24 LEONOR NOGUEZ  
25 Deputy City Attorney  
26 Attorneys for Defendants  
27

28 \*Pursuant to GO 45, the electronic signatory has obtained approval from this signatory.



THE CASE MANAGEMENT CONFERENCE IS CONTINUED  
TO AUGUST 4, 2011 AT 2:00 P.M.